

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF NEW YORK

**UNITED STATES OF AMERICA,**

Plaintiff,

v.

**PETER GERACE, JR.,**

Defendant.

Case No. 1:19-cr-227  
1:23-cr-37  
(LJV)

December 6, 2024

**TRANSCRIPT EXCERPT - EXAMINATION OF R.A. (PW 6)  
BEFORE THE HONORABLE LAWRENCE J. VILARDO  
UNITED STATES DISTRICT JUDGE**

**APPEARANCES:**

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And

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**PRESENT:**

**KAREN A. CHAMPOUX, USA PARALEGAL**

**BRIAN A. BURNS, FBI SPECIAL AGENT**

**MARILYN K. HALLIDAY, HSI SPECIAL AGENT**

**OLIVIA A. PROIA, J.D., PARALEGAL**

**LAW CLERK:**

**REBECCA FABIAN IZZO, ESQ.**

**COURT CLERK:**

**COLLEEN M. DEMMA**

**REPORTER:**

**ANN MEISSNER SAWYER, FCRR, RPR, CRR**

Robert H. Jackson Courthouse  
2 Niagara Square Buffalo, New York 14202  
Ann\_Sawyer@nywd.uscourts.gov

1 (Excerpt commenced at 2:41 p.m.)

02:41PM 2 (Jury is present.)

02:41PM 3 **THE COURT:** The government can call its next witness.

02:41PM 4 **MR. TRIPI:** One moment, please, Judge.

02:41PM 5 We'll call R.A. next.

02:41PM 6

02:41PM 7 **R. A. (PW 6)**, having been duly called and sworn, testified as  
02:41PM 8 follows:

02:41PM 9

02:41PM 10 **DIRECT EXAMINATION BY MR. TRIPI:**

02:42PM 11 Q. Good afternoon, Ms. R.A.

02:42PM 12 A. Good afternoon.

02:42PM 13 Q. I don't think we've ever formally met. I said hello to  
02:42PM 14 you in the hallway a few times, but you've kind of dealt with  
02:42PM 15 some other prosecutors usually when you've had court matters;  
02:42PM 16 is that right?

02:42PM 17 A. Yes.

02:42PM 18 Q. All right. If you don't understand anything that I'm  
02:42PM 19 asking you, just let me know and I'll try to do better, okay?

02:42PM 20 A. Okay.

02:42PM 21 Q. How old are you, ma'am? Let's start with an easy  
02:42PM 22 question.

02:42PM 23 A. 42.

02:42PM 24 Q. Sorry to have to ask. Where were you born and raised?

02:42PM 25 A. Pendleton, New York.

02:42PM 1 Q. Is that Niagara County?

02:42PM 2 A. Yes, it is.

02:42PM 3 Q. And can you describe your educational background for the

02:43PM 4 jury?

02:43PM 5 A. Yes. I have a degree in behavioral science from

02:43PM 6 University of Buffalo. And I'm currently studying for my

02:43PM 7 master's degree in clinical mental health.

02:43PM 8 Q. When did you get the behavioral science degree from U.B.?

02:43PM 9 A. 2004 -- sorry, 2024, May.

02:43PM 10 Q. Congratulations.

02:43PM 11 A. Thank you.

02:43PM 12 Q. Before that, as I understand it, you have another degree

02:43PM 13 from Buff State?

02:43PM 14 A. Yes, social work.

02:43PM 15 Q. When did you get that?

02:43PM 16 A. 2014, I believe.

02:43PM 17 Q. Okay. And you're currently studying for your master's?

02:43PM 18 A. Yes, I am. I'm in second year.

02:43PM 19 Q. Is that in U.B. as well?

02:43PM 20 A. No, that's at SUNY Fredonia.

02:43PM 21 Q. And you might have said it, but I missed it. What's that

02:43PM 22 area in?

02:43PM 23 A. Clinical mental health counseling.

02:43PM 24 Q. When do you expect to complete that program?

02:43PM 25 A. Probably 2027.

02:44PM 1 Q. Okay.

02:44PM 2 A. Summer.

02:44PM 3 Q. Gotcha. All right. Are you currently employed?

02:44PM 4 A. No, I'm a homemaker actually right now and a student.

02:44PM 5 Q. Previously you've been employed though, right?

02:44PM 6 A. Yes.

02:44PM 7 Q. Before you maybe started getting the doctorate, is it?

02:44PM 8 A. Yes.

02:44PM 9 Q. What were you doing?

02:44PM 10 A. I was an -- I'm a chemical dependency counselor. I'm a

02:44PM 11 CASAC in New York State.

02:44PM 12 Q. I missed that second part.

02:44PM 13 A. I have my CASAC in New York State.

02:44PM 14 Q. What is that?

02:44PM 15 A. Credentialed drug and alcohol counselor.

02:44PM 16 Q. Okay. How long were you a chemical dependency counselor?

02:44PM 17 A. Four years.

02:44PM 18 Q. Okay. All right. As I understand it, and you correct me

02:44PM 19 if I'm wrong, this is an area you became interested in after

02:44PM 20 some of your own life experiences; is that fair?

02:44PM 21 A. Absolutely.

02:45PM 22 Q. So, I hate to do it, but we're going to go back in

02:45PM 23 time --

02:45PM 24 A. Okay.

02:45PM 25 Q. -- to that, okay?

02:45PM

1 A. Sure.

02:45PM

2 Q. In the early 2000s of your life, were you involved in a  
3 different lifestyle?

02:45PM

02:45PM

4 A. Absolutely, yes.

02:45PM

5 Q. Can you describe just what you were doing for work and  
6 that lifestyle in the early yes 2000s?

02:45PM

02:45PM

7 A. Early 2000s, probably between 2001 and 2003, early 2000s,  
8 I'm not sure exactly, it's a long time ago --

02:45PM

02:45PM

9 Q. Right.

02:45PM

10 A. -- I was dancing. I was an exotic dancer.

02:45PM

11 Q. And was your -- was your name Diamond?

02:45PM

12 A. Yes.

02:45PM

13 Q. And -- and were you dancing at that time, 2001 to 2003,  
14 at a specific club, or did you travel around?

02:45PM

02:45PM

15 A. I worked at one specific club, like, my home club. But I  
16 did travel around.

02:45PM

02:45PM

17 Q. And which was your home or main club where you danced?

02:46PM

18 A. Mademoiselle's.

02:46PM

19 Q. And was that located on Aero Drive?

02:46PM

20 A. Yes, it was.

02:46PM

21 Q. 777 Aero Drive?

02:46PM

22 A. Um-hum.

02:46PM

23 Q. And explain for the jury, just so they have some

02:46PM

24 understanding of traveling around, what does that entail? Is

02:46PM

25 that --

02:46PM 1 A. Like, you would dance at one club, and then if you wanted  
02:46PM 2 to make more money, or if there was a special event at  
02:46PM 3 another club, you would go to that club.

02:46PM 4 Q. Okay. Now, I'm going to bounce around a little bit, and  
02:46PM 5 I'm not going to try to confuse you with any timelines or  
02:46PM 6 anything like that, but --

02:46PM 7 A. I'm never good with dates, so --

02:46PM 8 Q. -- but I'm going bounce around just a little bit. All  
02:46PM 9 right? So, at some point in or about 2005, did you have some  
02:46PM 10 type of relationship with a guy named Craig Border?

02:46PM 11 A. Yes.

02:46PM 12 Q. Is that somebody that you met where you lived at the  
02:46PM 13 Sidway Building on Main Street?

02:46PM 14 A. Yes.

02:46PM 15 Q. And that's in Buffalo, New York, for those --

02:46PM 16 A. Right.

02:46PM 17 Q. -- who may not know?

02:46PM 18 A. Yes.

02:46PM 19 Q. At that time, you were single, right?

02:47PM 20 A. Yes.

02:47PM 21 Q. You were not married?

02:47PM 22 A. Nope.

02:47PM 23 Q. You were working in the clubs though?

02:47PM 24 A. Yes.

02:47PM 25 Q. Okay. At that point in your time meeting Mr. Border, did

02:47PM 1 learn or did you understand him to be a marijuana dealer?

02:47PM 2 A. Yes.

02:47PM 3 Q. In that time of your life, were you also involved in sort

02:47PM 4 of use of controlled substances?

02:47PM 5 A. Yes.

02:47PM 6 Q. At that point in your life, what type of controlled

02:47PM 7 substances did you use?

02:47PM 8 A. Alcohol, marijuana, cocaine.

02:47PM 9 Q. Okay. What time -- I'm timestamping it around when

02:47PM 10 you're seeing Mr. Border, okay?

02:47PM 11 A. Okay.

02:47PM 12 Q. What substances were you using most frequently at that

02:47PM 13 point?

02:47PM 14 A. Probably alcohol and cocaine at that time. But it's hard

02:47PM 15 to -- I don't know, mostly alcohol, cocaine.

02:47PM 16 Q. Okay.

02:47PM 17 A. Yeah.

02:47PM 18 Q. What was the nature of your cocaine use like? And what

02:48PM 19 I'm asking is, was it recreational at that point? Or was it

02:48PM 20 heavy, like, addiction?

02:48PM 21 A. I don't know. I mean, addiction is different for

02:48PM 22 everyone. At this point, you know, I was -- you know, I was

02:48PM 23 younger, so I could withstand using frequently enough.

02:48PM 24 As I got older, it became more difficult to sustain my

02:48PM 25 addiction.

02:48PM 1 Q. Okay. Getting back to Mr. Border briefly in 2005, you're  
02:48PM 2 not married at that point, you're seeing him. Did there come  
02:48PM 3 a point in time where you took some photos in sort of  
02:48PM 4 lingerie, like, Playboy Bunny photos?  
02:48PM 5 A. Yes.  
02:48PM 6 Q. Did you give those photos to him? Was it around a  
02:48PM 7 birthday or something?  
02:48PM 8 A. I think it was a birthday, or he took pictures.  
02:48PM 9 Q. Okay.  
02:48PM 10 A. Not really sure.  
02:48PM 11 Q. As you understood it, those were pictures he had, right?  
02:48PM 12 A. Yes.  
02:48PM 13 Q. Who was your next boyfriend or relationship after  
02:49PM 14 Mr. Border?  
02:49PM 15 A. Peter Gerace.  
02:49PM 16 Q. Were they sort of on the heels of one another? Like,  
02:49PM 17 ending with Border, and then starting with Mr. Gerace?  
02:49PM 18 A. Yes.  
02:49PM 19 Q. Okay. How did you meet Mr. Gerace?  
02:49PM 20 A. I originally had met him at his family's restaurant,  
02:49PM 21 Pietro's. And then I saw him at Mademoiselle's.  
02:49PM 22 Q. And would a time estimate for when you first met him at  
02:49PM 23 Pietro's, would a time estimate be around 2004? Like, a  
02:49PM 24 little bit before this Border relationship, you had met him  
02:49PM 25 previously?



02:49PM

1 A. Yes.

02:49PM

2 Q. And then in the 2005 time period, is that when you see

02:50PM

3 him at Mademoiselle's roughly?

02:50PM

4 A. Around that time.

02:50PM

5 Q. Okay. In 2005, did you -- when you started seeing

02:50PM

6 Mr. Gerace as opposed to Craig Border, how did that -- how

02:50PM

7 did that transpire?

02:50PM

8 A. I just stopped seeing Craig because I met Peter. And I

02:50PM

9 was just basically dating Craig, it was nothing serious.

02:50PM

10 Q. Right.

02:50PM

11 A. And I wanted something serious with Peter.

02:50PM

12 Q. Did you -- did you leave your apartment at the Sidway

02:50PM

13 Building and move in with Peter?

02:50PM

14 A. I did.

02:50PM

15 Q. Where did you move into?

02:50PM

16 A. Windsong.

02:50PM

17 Q. Is that an apartment complex or a -- what is that?

02:50PM

18 A. It's like a townhouse/apartment complex type of thing.

02:50PM

19 Q. And where is that located?

02:50PM

20 A. Off of Transit, so East Amherst area.

02:50PM

21 Q. Okay.

02:50PM

22 A. Williamsville.

02:50PM

23 Q. When you moved in with Peter, did you relinquish your

02:51PM

24 apartment at the Sidway Building?

02:51PM

25 A. I did.

Q. After you started seeing Peter and moved in with him, did there come a time at SoHo downtown here where you met a friend of his named Joe Bongiovanni?

A. Yes.

Q. At that time, when you met Mr. Bongiovanni socially through the defendant, did you know what Mr. Bongiovanni did for a living?

A. No.

Q. Did there come a time when, through the defendant while you were dating the defendant, that you learned what Mr. Bongiovanni did for a living?

A. Yes.

Q. Can you explain that situation for the jury, please?

A. I guess maybe he -- Joe had seen a picture of me in Craig's house. And I think that was around the time that he was getting raided or something.

**MR. SOEHNLEIN:** Objection, Your Honor. Can we approach on this issue, please?

**THE COURT:** Sure.

**MR. SOEHNLEIN:** Thank you.

(Sidebar discussion held on the record.)

**MR. SOEHNLEIN:** I didn't realize that that was going to be her response to that question, I thought that was going to be another question. But our problem is it's hearsay within hearsay within hearsay. Because Border testified that

02:52PM 1 he doesn't recall anybody that's at his house, he doesn't  
02:52PM 2 recall who takes the photo, he doesn't recall telling --

02:52PM 3 **THE COURT:** She says that Peter told her that  
02:52PM 4 Bongiovanni told him that --

02:52PM 5 (Undecipherable.)

02:52PM 6 **MR. SOEHNLEIN:** Right, but how do we know --

02:53PM 7 **MR. COOPER:** She can't hear you, Judge.

02:53PM 8 **THE COURT:** She says that Peter told her that  
02:53PM 9 Bongiovanni told him he saw the photo. They're both  
02:53PM 10 coconspirators, and --

02:53PM 11 **MR. TRIPI:** Statement of a party opponent.

02:53PM 12 **MR. SOEHNLEIN:** But how do we know what Bongiovanni  
02:53PM 13 told Peter is accurate?

02:53PM 14 **MR. TRIPI:** Doesn't matter. It's a statement of  
02:53PM 15 party opponent. You can argue whatever you want later.

02:53PM 16 **THE COURT:** Bongiovanni told Peter --

02:53PM 17 **MR. TRIPI:** What Peter says comes in.

02:53PM 18 **THE COURT:** -- we don't, but each hearsay within  
02:53PM 19 hearsay is admissible, each of the hearsay branches has an  
02:53PM 20 exception. Here, we know that what Peter said to her is  
02:53PM 21 admissible because he's the defendant. And what Bongiovanni  
02:53PM 22 says to Peter is admissible because of the coconspirator  
02:53PM 23 exception.

02:53PM 24 **MR. SOEHNLEIN:** Yeah.

02:53PM 25 **THE COURT:** So I don't see why --

02:53PM 1 **MR. FOTI:** I think we expected it was gonna come in a  
02:53PM 2 little differently than the way it came in. I understand the  
02:53PM 3 Court's point, is that she's saying that Bongiovanni --

02:53PM 4 **THE COURT:** If you want to argue, I'm willing to  
02:54PM 5 listen. If you think I'm wrong --

02:54PM 6 **MR. FOTI:** No, no, no. The way it came in, we tend  
02:54PM 7 to agree that it's -- there's -- if she's saying that  
02:54PM 8 Bongiovanni said he saw the pictures as opposed to just  
02:54PM 9 generally saying there were pictures recovered, I get why it  
02:54PM 10 doesn't necessarily --

02:54PM 11 **THE COURT:** Oh, I see what you're saying. You're  
02:54PM 12 saying that there were pictures -- so somebody may have said  
02:54PM 13 to Bongiovanni --

02:54PM 14 **MR. SOEHNLEIN:** Yeah. And I think that her prior  
02:54PM 15 statements were there were pictures recovered, but here today  
02:54PM 16 she's testified a little differently.

02:54PM 17 **MR. FOTI:** I don't know if she testified --

02:54PM 18 **THE COURT:** Stop.

02:54PM 19 And, Mr. Tripi, you may be -- you may need to lay  
02:54PM 20 more of a foundation, too. I think she certainly can testify  
02:54PM 21 that Bongiovanni says I saw the photos and, you know, at the  
02:54PM 22 search and tells Gerace that, and Gerace tells her, that  
02:54PM 23 certainly come in.

02:54PM 24 If somebody else tells Bongiovanni, maybe not.

02:54PM 25 **MR. SOEHNLEIN:** Yeah. My recollection is at the last

trial it was different, the pictures were recovered.

**MR. TRIPI:** There's more of a discussion I'm going to draw out.

**THE COURT:** That Joe had -- yeah, Joe had seen a picture in Craig's house. That comes in.

Okay? So the objection is overruled. I'll be attentive to what you're talking about, Mr. Soehnlein.

**MR. SOEHNLEIN:** Thank you very much.

(End of sidebar discussion.)

**THE COURT:** Ma'am, could you speak right into the microphone?

**THE WITNESS:** Sure.

**THE COURT:** Some of the jurors are having a hard time hearing you.

**THE WITNESS:** Oh, sorry, guys. All right.

**THE COURT:** So the objection is overruled.

Go ahead, Mr. Tripi.

**MR. TRIPI:** Yes, Your Honor.

**BY MR. TRIPI:**

Q. Bear with me, I lost my place.

A. Okay.

Q. I want to set this discussion that you had with Peter up a little bit more.

In the context of this discussion that you had with Peter about what Joe said, and -- to him about the pictures in

02:56PM 1 Craig's apartment, were you having sort of an argument or  
02:56PM 2 disagreement with Mr. Gerace at the time?

02:56PM 3 A. I'm not really sure if it was a disagreement or an  
02:56PM 4 argument necessarily. Maybe it was us bickering back and  
02:56PM 5 forth or something.

02:56PM 6 Q. Yeah. That's all I'm trying to drive at.

02:56PM 7 A. Oh, okay.

02:56PM 8 Q. Was there something that was going on where then Peter  
02:56PM 9 said to you what Mr. Bongiovanni had told him about the  
02:56PM 10 picture?

02:56PM 11 A. Yes. Yes.

02:56PM 12 Q. Okay. Now, as close as you can --

02:56PM 13 A. Um-hum.

02:56PM 14 Q. -- to what Mr. Gerace said to you, what did he say about  
02:56PM 15 seeing the Playboy Bunny picture outfit in Craig Border's  
02:56PM 16 apartment?

02:56PM 17 A. He said there was a picture of me.

02:57PM 18 Q. Anything else?

02:57PM 19 A. And that he -- and that Joe had seen it during the --  
02:57PM 20 during this raid or whatever it was.

02:57PM 21 Q. That's what I'm driving at. Is that when you learned  
02:57PM 22 that Joe Bongiovanni was a DEA agent?

02:57PM 23 A. That's when I knew, yeah, 100 percent, um-hum.

02:57PM 24 Q. Is that because Peter told you Joe works for the DEA and  
02:57PM 25 was in a raid and he saw your picture?

02:57PM 1 A. He didn't necessarily tell me that. I mean, you assume  
02:57PM 2 that, you know, if they're involved in a raid and there's a  
02:57PM 3 picture, that you're a DEA agent or some sort of agent.

02:57PM 4 Q. Okay. On September 17th, 2020, you were subpoenaed to a  
02:57PM 5 federal grand jury?

02:57PM 6 A. Okay.

02:57PM 7 Q. Do you remember that?

02:57PM 8 A. Yep.

02:57PM 9 Q. And -- have I done something to offend you?

02:57PM 10 A. No.

02:57PM 11 Q. Okay. You remember what I'm talking about here, right?

02:57PM 12 A. Yes.

02:57PM 13 Q. Okay. And you were asked questions by an Assistant  
02:58PM 14 United States Attorney named Brendan Cullinane; do you  
02:58PM 15 remember that?

02:58PM 16 A. I don't remember Brendan, no. I don't know names.

02:58PM 17 Q. It wasn't me, right?

02:58PM 18 A. No.

02:58PM 19 Q. And you were asked a series of questions and answers  
02:58PM 20 about this, right?

02:58PM 21 A. Right.

02:58PM 22 Q. And all of that preceded with you speaking to federal  
02:58PM 23 agents who came to talk to you, right?

02:58PM 24 A. Right.

02:58PM 25 Q. They had reached out to your mother, right?

02:58PM 1 A. Yes.

02:58PM 2 Q. Then you had agreed to meet with them, and you talked to

02:58PM 3 them in a car, right?

02:58PM 4 A. Yeah.

02:58PM 5 Q. True?

02:58PM 6 A. Yeah.

02:58PM 7 Q. And you were nervous to talk about Peter, correct?

02:58PM 8 A. Was I nervous?

02:58PM 9 Q. Yes or no: Were you nervous?

02:58PM 10 A. Of course I was nervous, you're talking to FBI agents.

02:58PM 11 Q. You were nervous about Peter.

02:58PM 12 A. Not -- no, I wasn't nervous about Peter, I was nervous

02:58PM 13 that, you know --

02:58PM 14 Q. Yes --

02:58PM 15 A. -- there were FBI agents at my door.

02:58PM 16 Q. -- yes or no: Did you express concern about talking

02:58PM 17 about Peter?

02:58PM 18 A. Of course.

02:58PM 19 Q. Okay.

02:58PM 20 A. Yes.

02:58PM 21 Q. Now, fast forwarding to grand jury under oath.

02:58PM 22 A. Um-hum.

02:58PM 23 Q. Were you asked this question, did you give this answer:

02:58PM 24 Can you please describe that -- I'll go back a little

02:59PM 25 further.



1 This is page 18, lines 17 through 25, going on to line 5  
2 of page 19.

3 Were you asked these questions under oath, and did you  
4 give these answers:

5 "Question: All right. At some point after this meeting  
6 in which you meet Joseph Bongiovanni through Peter, did there  
7 come an incident in your relationship with Peter that  
8 involved Joseph Bongiovanni?

9 "Answer: Yes."

10 Were you asked that question, did you give that answer?

11 A. Yes.

12 Q. Next. "Question: Can you please describe that for the  
13 grand jury?

14 "Answer: Prior to dating Peter, I was dating an  
15 individual that lived in the building next to me named Craig.  
16 He got -- ended up getting raided for marijuana sales. And  
17 later on during, like, that week, leading up to after the  
18 raid had happened, Peter came up to me and said my friend Joe  
19 is a DEA agent, and saw your photo in the house of Craig.  
20 Because I had been there, and the picture was of me. So  
21 that's how I became aware he was a DEA agent."

22 Were you asked those questions, did you give those  
23 answers?

24 A. Obviously I did if it's written down.

25 Q. Did you ask -- did you get asked those questions and did

03:00PM 1 you give those answers?

03:00PM 2 A. Yes.

03:00PM 3 Q. Okay. Now, at -- when you were dancing at

03:00PM 4 Mademoiselle's, was an owner named Don Parrino?

03:00PM 5 A. Yes.

03:00PM 6 Q. Did Don Parrino and the defendant open a club called

03:00PM 7 Pharaoh's?

03:00PM 8 A. Yes.

03:00PM 9 Q. When was that?

03:00PM 10 A. 2005 or '6.

03:00PM 11 Q. Okay. Eventually, in 2006, did you become pregnant?

03:01PM 12 A. Yes.

03:01PM 13 Q. By this defendant?

03:01PM 14 A. Yes.

03:01PM 15 Q. And I guess we've been talking about Peter Gerace, just

03:01PM 16 for the record, can you point him out for us?

03:01PM 17 A. He's right there.

03:01PM 18 Q. Pointing to the person in the middle?

03:01PM 19 **MR. TRIPI:** She's identified the defendant.

03:01PM 20 **THE WITNESS:** Yep.

03:01PM 21 **THE COURT:** Yeah, the record reflects that she  
03:01PM 22 identified the defendant.

03:01PM 23 **MR. TRIPI:** Thank you.

03:01PM 24 **THE WITNESS:** Okay.

25

03:01PM 1 **BY MR. TRIPI:**

03:01PM 2 Q. After you became pregnant, when did you have your son?

03:01PM 3 A. April 10th, 2006.

03:01PM 4 Q. Where were you and the defendant living at that time?

03:02PM 5 A. I was -- I was -- he was living -- we were living in  
03:02PM 6 Windsong, and I eventually moved in with my mother and  
03:02PM 7 father.

03:02PM 8 Q. Did you live with him for a time on Joseph Drive,  
03:02PM 9 97 Joseph Drive --

03:02PM 10 A. Yes.

03:02PM 11 Q. -- in the Town of Tonawanda?

03:02PM 12 Was that at his grandfather and grandmother's house?

03:02PM 13 A. Yes.

03:02PM 14 Q. Was there an apartment situated there?

03:02PM 15 A. Yeah.

03:02PM 16 Q. How was the apartment situated as related to the house?

03:02PM 17 A. It was above the garage.

03:02PM 18 Q. Okay. Now, your son's born April 10th, 2006. Obviously  
03:02PM 19 doing math, you're pregnant sometime in 2005, right?

03:02PM 20 A. Um-hum.

03:02PM 21 Q. Prior to that, what was the nature of your cocaine use  
03:02PM 22 when you were with the defendant?

03:02PM 23 A. I wasn't using that often. But once I got pregnant I  
03:03PM 24 stopped using altogether.

03:03PM 25 Q. And would you use cocaine with the defendant at the

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03:04PM

1 Windsong apartment?  
2 A. No, I never did.  
3 Q. In the year 2005 before being pregnant, did you use  
4 cocaine with the defendant?  
5 A. I may have, yes.  
6 Q. How frequently would you and the defendant use cocaine?  
7 A. It was just recreational.  
8 Q. So how frequently?  
9 A. I don't know. Maybe once every two weeks, maybe less  
10 than that.  
11 Q. Who provided the cocaine when you would use with him?  
12 A. Peter had it.  
13 Q. He had it?  
14 A. Yeah.  
15 Q. Do you know who was giving it to him?  
16 A. No.  
17 Q. All right. After your son was born on April 10th, 2006,  
18 did you and the defendant get married?  
19 A. Yes.  
20 Q. By that point in time, had you met a person named John  
21 Michalski through the defendant?  
22 A. Yes.  
23 Q. How did you meet John Michalski who became a judge?  
24 A. He was a friend of Peter's. We went out to dinner a  
25 couple of times.

03:04PM 1 Q. Were you -- when you went out to dinner with  
03:04PM 2 Mr. Michalski, was that before he was a judge initially?  
03:04PM 3 A. Maybe, I'm really not sure.  
03:04PM 4 Q. Okay. Eventually he becomes a New York State Supreme  
03:05PM 5 Court judge, though, right?  
03:05PM 6 A. Yep.  
03:05PM 7 Q. Was he the one that married you and the defendant?  
03:05PM 8 A. Yes.  
03:05PM 9 Q. Where -- where did he marry you? Where was the ceremony?  
03:05PM 10 A. In his office in the courthouse.  
03:05PM 11 Q. So in the judge's chambers; do you recall that?  
03:05PM 12 A. Yes.  
03:05PM 13 Q. Who was present for it?  
03:05PM 14 A. My mother.  
03:05PM 15 Q. Your son, as well?  
03:05PM 16 A. Yes.  
03:05PM 17 Q. And Peter? All right. So your mother was the witness?  
03:05PM 18 A. Yes.  
03:05PM 19 Q. When Pharaoh's opened, were the day-to-day operations of  
03:05PM 20 that club ran by Mr. Parrino and the defendant?  
03:05PM 21 A. Yes.  
03:05PM 22 Q. When it initially opened, and I know I'm bouncing back to  
03:05PM 23 2005 maybe a little bit, when it initially opened, did you  
03:06PM 24 dance there at all?  
03:06PM 25 A. Never.

03:06PM 1 Q. When it initially opened, did you socialize there?

03:06PM 2 A. Yeah, maybe for the opening, grand opening party.

03:06PM 3 Q. So we're talking 2006?

03:06PM 4 A. Yeah.

03:06PM 5 Q. 2005?

03:06PM 6 A. Yeah, 2006, between 2005 and 2006. Yes.

03:06PM 7 Q. Okay. Did you use cocaine inside Pharaoh's with the

03:06PM 8 defendant?

03:06PM 9 A. No, I didn't use it with the defendant in Pharaoh's.

03:06PM 10 Q. Did you use cocaine inside Pharaoh's?

03:06PM 11 A. Yes.

03:06PM 12 Q. Where inside Pharaoh's did you use cocaine?

03:06PM 13 A. In the bathroom, whatever. I used a lot of cocaine.

03:06PM 14 Q. Given your sort of now training, you've distinguished

03:06PM 15 between recreational -- I think you said recreational use.

03:06PM 16 Is there also something that is referred to active addiction?

03:07PM 17 A. Yes.

03:07PM 18 Q. Were you ever in active addiction for cocaine?

03:07PM 19 A. Yes.

03:07PM 20 Q. When was that?

03:07PM 21 A. Probably between 2008 and 2013. Just doing a lot of

03:07PM 22 drinking.

03:07PM 23 Q. Okay.

03:07PM 24 A. Which would usually lead to cocaine use.

03:07PM 25 Q. Soon after -- soon after Pharaoh's opened, did the

03:07PM 1 defendant tell you not to go to the club anymore?

03:07PM 2 A. Yes.

03:07PM 3 Q. What was your understanding of why?

03:07PM 4 A. I -- he just -- he didn't want me there. I don't know

03:07PM 5 exactly why, but he didn't want me there.

03:07PM 6 Q. During that time period, did the defendant engage with

03:07PM 7 other women?

03:07PM 8 A. Yes.

03:07PM 9 Q. Were they women at the club?

03:07PM 10 A. Some were.

03:07PM 11 Q. Would that judge that married you, John -- Judge John

03:08PM 12 Michalski, did he go to Pharaoh's?

03:08PM 13 A. I don't think I ever seen him there. Maybe he did go

03:08PM 14 there for, like, a grand opening party. A lot of people were

03:08PM 15 present.

03:08PM 16 Q. Did you have a Facebook page back then?

03:08PM 17 A. No.

03:08PM 18 Q. Have you -- did you view Facebook back then?

03:08PM 19 A. No.

03:08PM 20 Q. Did you ever see photos of Judge Michalski in Pharaoh's

03:08PM 21 on Facebook?

03:08PM 22 A. No.

03:08PM 23 Q. Okay. Going back to that grand jury proceeding, were you

03:08PM 24 asked these questions and did you give these answers:

03:08PM 25 **THE COURT:** Page and line, please.

03:08PM 1 **MR. TRIPI:** I'm trying to find it, Judge, I'm sorry.

03:08PM 2 It's on page 15 of the grand jury. Okay. I need to

03:09PM 3 go to 14, line 22, to the end of that page, and then to the

03:09PM 4 top of page 15, line 3.

03:09PM 5 **BY MR. TRIPI:**

03:09PM 6 Q. You were asked this question, did you give these answers:

03:09PM 7 "Question: Was Judge Michalski also at Pharaoh's with

03:09PM 8 him sometimes?

03:09PM 9 "Answer: I believe so.

03:09PM 10 "Question: Why do you believe that?

03:09PM 11 "Answer: Because a lot of people went out there, and I

03:09PM 12 would assume he's been there. I think maybe I saw some

03:09PM 13 pictures in there from Facebook maybe."

03:09PM 14 Were you asked those questions and did you give those

03:09PM 15 answers?

03:09PM 16 A. Yes.

03:09PM 17 Q. What year did you and the defendant stop physically

03:10PM 18 living together?

03:10PM 19 A. I don't know. The time was very difficult around that

03:10PM 20 time because I was in active addiction.

03:10PM 21 Q. Okay. I think we left off -- at the point in time you

03:10PM 22 were married in 2006, are you living at 97 Joseph Drive?

03:10PM 23 A. Yeah.

03:10PM 24 Q. Okay. Was your divorce finalized December 16th, 2010?

03:10PM 25 A. Yes.



03:10PM 1 Q. Somewhere between 2006 and 2010?

03:10PM 2 A. Um-hum.

03:10PM 3 Q. Did you stop living with the defendant?

03:10PM 4 A. Yes.

03:10PM 5 Q. Where did you go live?

03:10PM 6 A. My mother.

03:10PM 7 Q. So in 2007, 2008, 2009, 2010, you didn't live with the  
03:11PM 8 defendant, correct? You did not?

03:11PM 9 A. Did I live with the defendant? What? I'm sorry.

03:11PM 10 Q. In 2007 through 2010, when your divorce finalized, you  
03:11PM 11 did not live with the defendant?

03:11PM 12 A. No.

03:11PM 13 Q. Okay. After your divorce finalized, would there be times  
03:11PM 14 when you stayed together though?

03:11PM 15 A. Yes.

03:11PM 16 Q. In the year of 2013, did you move back in with the  
03:11PM 17 defendant?

03:11PM 18 A. Briefly, yes.

03:11PM 19 Q. On Joseph Drive?

03:11PM 20 A. Yes.

03:11PM 21 Q. And then you moved back out?

03:11PM 22 A. Yep.

03:11PM 23 Q. And during those years, 2007 through 2013, you're not  
03:11PM 24 going to Pharaoh's; fair to say?

03:11PM 25 A. Fair to say, yes.

03:11PM 1 Q. After you move out of Joseph Drive in 2013 all the way to  
03:11PM 2 present day, you're not going to Pharaoh's anymore, correct?

03:12PM 3 A. No.

03:12PM 4 Q. Poor question on my part, I'll correct it. Yes, you're  
03:12PM 5 not going to Pharaoh's?

03:12PM 6 A. I'm not going to Pharaoh's.

03:12PM 7 Q. Okay. Thank you.

03:12PM 8 **THE COURT:** Mr. Tripi, do you have a sense of how  
03:12PM 9 much longer you're going to be?

03:12PM 10 **MR. TRIPI:** Maybe five or ten minutes, Judge.

03:12PM 11 **THE COURT:** Okay.

03:12PM 12 **MR. TRIPI:** If we take a break -- if this is a good  
03:12PM 13 time for a break, maybe I could tighten it up and be done in a  
03:12PM 14 few minutes.

03:12PM 15 **THE COURT:** Great. Let's do that then.

03:12PM 16 So, folks, let's take our afternoon break. Remember  
03:12PM 17 my instructions about not talking about the case including  
03:12PM 18 with each other, and not making up your mind.

03:12PM 19 We'll be back in ten or 15 minutes.

03:12PM 20 (Jury excused at 3:12 p.m.)

03:13PM 21 **THE COURT:** Okay. Ms. R.A., don't talk to anybody  
03:13PM 22 about your testimony during the break.

03:13PM 23 **THE WITNESS:** Okay.

03:13PM 24 **THE COURT:** Anything from the government?

03:13PM 25 **MR. COOPER:** No, thank you.

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**THE COURT:** Anything from the defense?

**MR. FOTI:** No, thank you.

**THE COURT:** We'll see you in about ten or 15 minutes.

(Off the record at 3:13 p.m.)

(Back on the record at 3:34 p.m.)

(Jury not present.)

(Discussion of next witness Jeffrey Anzalone from  
3:34 p.m. to 3:35 p.m.)

(Jury seated at 3:35 p.m.)

**THE COURT:** Okay. Welcome back for the home stretch,  
folks. I think I forgot to mention that Ms. Chalbeck is not  
here again today. She had that same matter that she needed to  
attend to today. Again, I know about it, it's an important  
matter, and we hope that she'll be back with us on Monday.

The record will reflect that all our jurors are  
present.

I remind the witness that she's still under oath.

And, Mr. Tripi, you may continue.

**MR. TRIPI:** Thank you, Your Honor.

**BY MR. TRIPI:**

Q. Ms. R.A., a few more minutes, and then I'm going to turn  
over the questioning. Okay? I want to circle back to that  
discussion about the pictures.

A. Um-hum.

Q. There was one question I neglected to ask you.

03:35PM 1 In that conversation with the defendant, did the  
03:35PM 2 defendant also tell you that he had observed the picture that  
03:35PM 3 Joe Bongiovanni saw in the house?

03:35PM 4 A. I'm not sure if he said "observed."

03:35PM 5 Q. Okay.

03:36PM 6 A. No.

03:36PM 7 Q. I'm going to try to refresh your recollection then --

03:36PM 8 A. Okay.

03:36PM 9 Q. -- on that, okay?

03:36PM 10 I'm going to show you -- I need the exhibit number  
03:36PM 11 actually. 3562A is the number. We'll show you page 21.

03:36PM 12 **MR. TRIPI:** And, Ms. Champoux, if we can do that for  
03:36PM 13 the witness only at this time.

03:36PM 14 **BY MR. TRIPI:**

03:36PM 15 Q. Look at lines 2 through 4.

03:36PM 16 A. Okay.

03:36PM 17 Q. Okay?

03:36PM 18 **MR. TRIPI:** You can take that down.

03:36PM 19 **THE WITNESS:** Yep.

03:36PM 20 **BY MR. TRIPI:**

03:36PM 21 Q. So did Peter tell you that he had actually observed the  
03:36PM 22 photo?

03:36PM 23 A. Yes.

03:36PM 24 Q. All right. I want to ask you about another person who  
03:36PM 25 was friends with the defendant. Do you know Dan Derenda?

03:37PM

1 A. Yes.

03:37PM

2 Q. Did you -- did you meet him through the defendant?

03:37PM

3 A. Yes.

03:37PM

4 Q. What was the defendant's relationship with Mr. Derenda?

03:37PM

5 A. He was a friend, and he was the godfather of his

03:37PM

6 daughter.

03:37PM

7 Q. So, Mr. Derenda has a daughter named Mia?

03:37PM

8 A. Yes.

03:37PM

9 Q. And the defendant is the godfather?

03:37PM

10 A. Yes.

03:37PM

11 Q. When you met Mr. Derenda, was he the Buffalo Police

03:37PM

12 Commissioner at the time?

03:37PM

13 A. Yes.

03:37PM

14 Q. Where were you when you met Mr. Derenda through the

03:37PM

15 defendant?

03:37PM

16 A. I was at his house.

03:37PM

17 Q. Mr. Derenda's house?

03:37PM

18 A. Yes.

03:37PM

19 Q. Now, I don't want to get into specifics of anything

03:37PM

20 underlying, but earlier in your relationship focusing in on

03:37PM

21 that 2006 timeframe, okay --

03:37PM

22 A. Um-hum.

03:37PM

23 Q. -- the defendant was on probation with U.S. Probation; is

03:37PM

24 that right?

03:38PM

25 A. Yes.

03:38PM 1 Q. At some point while he was on probation, did the  
03:38PM 2 defendant ask you for clean urine?

03:38PM 3 A. I'm not sure.

03:38PM 4 Q. Okay. Let me build that out a little bit.

03:38PM 5 As you understood it, when the defendant was on  
03:38PM 6 probation, he couldn't use drugs, right?

03:38PM 7 A. Yes.

03:38PM 8 Q. He could not use cocaine, for example?

03:38PM 9 A. Yes.

03:38PM 10 Q. As you understood it, he was drug tested?

03:38PM 11 A. Yes.

03:38PM 12 Q. And, obviously, drugs are illegal, right?

03:38PM 13 A. Yes.

03:38PM 14 Q. And so I want to show you Government Exhibit 3562A at  
03:38PM 15 page 31.

03:38PM 16 **MR. TRIPI:** Actually, I want to go to the bottom of  
03:39PM 17 page -- this is for the witness only, bottom of page 30 first.

03:39PM 18 **BY MR. TRIPI:**

03:39PM 19 Q. And then maybe start reading from line 21, down.

03:39PM 20 A. Okay.

03:39PM 21 Q. Okay? Just read it to yourself. And we'll scroll when  
03:39PM 22 you let me know, okay?

03:39PM 23 A. Um-hum. Okay.

03:39PM 24 **MR. TRIPI:** Can you scroll a little bit more,  
03:39PM 25 Ms. Champoux?

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**BY MR. TRIPI:**

Q. All right. I'd like you to stop reading around line 19, which I crossed out so you can't read it. But go from lines 1 through 19 now on page 31.

A. Um-hum.

Q. Okay.

**MR. TRIPI:** We can take that down, Ms. Champoux.

**BY MR. TRIPI:**

Q. My question now is: After the defendant had a negative drug test, did he ask you if you could provide him with clean urine?

A. Yes.

Q. And was it your -- was it your understanding so that he would pass future drug tests?

A. It was my understanding that he had to test negative.

Q. Okay. Negative is past tense, so he's tested, tested negative. Then he has a conversation with you, correct?

A. Yep. Yes.

Q. And his conversation with you is to get clean urine moving forward, right?

A. Yes.

Q. And so that means he wanted clean urine in case he was tested in the future, true?

A. Yes.

Q. Did you give it to him?

03:40PM 1 A. I'm not sure if I did or not.

03:40PM 2 Q. Okay.

03:40PM 3 A. It was a long time ago.

03:40PM 4 **MR. TRIPI:** Move to strike the extraneous comment,  
03:40PM 5 Your Honor.

03:40PM 6 **THE COURT:** Yeah. So just answer his questions,  
03:40PM 7 please, ma'am.

03:40PM 8 **THE WITNESS:** Okay.

03:40PM 9 **THE COURT:** And we'll strike that last comment.

03:40PM 10 **MR. TRIPI:** Thank you.

03:40PM 11 **BY MR. TRIPI:**

03:40PM 12 Q. So did the defendant ask you for clean urine because he  
03:41PM 13 might get tested by U.S. Probation; yes or no?

03:41PM 14 A. Yes.

03:41PM 15 Q. Based upon your time inside Pharaoh's, and your  
03:41PM 16 discussions with the defendant, did you know many of the  
03:41PM 17 Pharaoh's dancers to have drug addictions?

03:41PM 18 **MR. SOEHNLEIN:** Objection.

03:41PM 19 **THE COURT:** Basis?

03:41PM 20 **MR. SOEHNLEIN:** Foundation, and 403, Judge.

03:41PM 21 **THE COURT:** Okay. Lay a foundation please,  
03:41PM 22 Mr. Tripi.

03:41PM 23 **BY MR. TRIPI:**

03:41PM 24 Q. Have you been inside Pharaoh's?

03:41PM 25 A. Yes.



03:41PM 1 Q. We talked about earlier you've used drugs inside  
03:41PM 2 Pharaoh's, cocaine, right?  
03:41PM 3 A. Yes.  
03:41PM 4 Q. Have you seen other women walking around inside  
03:41PM 5 Pharaoh's?  
03:41PM 6 A. Walking around, yes.  
03:41PM 7 Q. Yeah. And have you had discussions with the defendant  
03:41PM 8 about personnel and people at Pharaoh's?  
03:42PM 9 A. Yes.  
03:42PM 10 Q. Okay. Based upon your observations and your discussions  
03:42PM 11 with the defendant, did you know many dancers at Pharaoh's to  
03:42PM 12 have drug addictions; yes or no?  
03:42PM 13 A. Most dancers have drug addictions.  
03:42PM 14 Q. Okay. But my question is: Did you know many dancers at  
03:42PM 15 Pharaoh's to have drug addictions?  
03:42PM 16 A. Yes.  
03:42PM 17 Q. You knew Don Parrino as well, right?  
03:42PM 18 A. Yes.  
03:42PM 19 Q. Did you hear a conversation between the defendant and Don  
03:42PM 20 Parrino where they discussed a dancer named -- I think dancer  
03:42PM 21 name G.R., overdosing?  
03:43PM 22 A. Yes, I've heard it. I'm not sure if I heard it from  
03:43PM 23 them, but it was a big, you know, talk around the club.  
03:43PM 24 Q. Did you speak about G.R.'s overdose with the defendant,  
03:43PM 25 if you recall?

03:43PM 1 A. I really don't think I did. I don't remember.

03:43PM 2 Q. Okay. So we talked about essentially from 2007 on to

03:43PM 3 current day your involvement awareness of physically yourself

03:43PM 4 being inside Pharaoh's has been limited; is that fair to say?

03:43PM 5 A. I haven't been in Pharaoh's in years.

03:43PM 6 Q. And I think earlier we established maybe 2007 on?

03:43PM 7 A. Yes.

03:43PM 8 Q. Okay. Would it be accurate to say then that others who

03:44PM 9 were there from 2007 on would know more about what was

03:44PM 10 transpiring inside Pharaoh's than you?

03:44PM 11 A. Yes.

03:44PM 12 Q. For the times that you were with the defendant, though,

03:44PM 13 whether you lived with him or were with him, did this

03:44PM 14 defendant always have access to cocaine?

03:44PM 15 A. I'm not sure if he always had access.

03:44PM 16 Q. From your observations and interactions with him, was

03:44PM 17 there ever a time where he couldn't get you cocaine when you

03:44PM 18 guys wanted to use it?

03:44PM 19 A. I don't know. I don't know.

03:44PM 20 Q. Well, you lived it, so can you tell the jury?

03:44PM 21 Do you ever remember a time when you and Peter wanted to  
03:44PM 22 use cocaine and you couldn't --

03:44PM 23 A. If I wanted to use cocaine, I would have --

03:44PM 24 Q. Well my --

03:44PM 25 A. -- and I would --

1 Q. -- question is about --

2 A. -- have got it myself or --

3 **THE COURT:** One at a time, folks. One at a time.

4 **MR. TRIPI:** Thank you, Judge. Sorry.

5 **BY MR. TRIPI:**

6 Q. My question was about the defendant.

7 A. Okay.

8 Q. Was there ever a time you were with the defendant and he  
9 couldn't get you cocaine if you wanted it?

10 A. He didn't get me cocaine. I used cocaine with him.

11 Q. That came out of his pocket?

12 A. I don't know where it came from.

13 Q. Well, you didn't conjure it up and make it appear?

14 A. Well, usually a drug dealer would give it to you, but  
15 I -- he's not a drug dealer, so I don't know where he got it  
16 from.

17 Q. Well, that's interesting, because when he has cocaine and  
18 he gives it to you to use, what do you think that is?

19 A. I'm choosing to use it, so I'm an active drug user.

20 Q. When he gives you cocaine --

21 A. I didn't pay for it.

22 Q. Oh, because it's free? Is that what they're teaching you  
23 in school?

24 A. Excuse me?

25 **MR. SOEHNLEIN:** Objection. Argumentative.

03:45PM 1 **THE COURT:** Sustained. Sustained. Sustained.

03:45PM 2 Next question, Mr. Tripi.

03:45PM 3 **BY MR. TRIPI:**

03:45PM 4 Q. So that's the line for you. If the defendant gives you  
03:45PM 5 cocaine for free, he's not a drug dealer?

03:45PM 6 **MR. SOEHNLEIN:** Objection. Argumentative.

03:45PM 7 **THE COURT:** Sustained.

03:45PM 8 **THE WITNESS:** No, he's not a drug dealer.

03:45PM 9 **THE COURT:** Stop. Stop.

03:45PM 10 Ma'am, when I say sustained, you don't answer.

03:45PM 11 Sustained.

03:45PM 12 Next question, Mr. Tripi.

03:45PM 13 **MR. TRIPI:** Judge, under Rule 611(c), I think I can  
03:45PM 14 lead a little bit here.

03:45PM 15 **THE COURT:** You can lead, yeah. And they're not  
03:46PM 16 objecting to the leading, so --

03:46PM 17 **MR. TRIPI:** Yeah.

03:46PM 18 **THE COURT:** If you folks think it's appropriate to  
03:46PM 19 object, you object.

03:46PM 20 **MR. TRIPI:** I'm also proceeding under Rule 607.

03:46PM 21 **THE COURT:** I understand.

03:46PM 22 **BY MR. TRIPI:**

03:46PM 23 Q. Okay. When you used cocaine with the defendant, he's the  
03:46PM 24 one who produced it for you, correct?

03:46PM 25 A. Yes.

03:46PM 1 Q. How many times has the defendant given you cocaine?

03:46PM 2 A. I don't know how many times.

03:46PM 3 Q. Is it countless?

03:46PM 4 A. No.

03:46PM 5 Q. Can you estimate?

03:46PM 6 A. I cannot estimate.

03:46PM 7 Q. Is it more than one?

03:46PM 8 A. Yes.

03:46PM 9 Q. Is it more than ten?

03:46PM 10 A. Maybe.

03:46PM 11 Q. Those other women that the defendant was going with at

03:47PM 12 Pharaoh's, to your knowledge, was he giving them cocaine too?

03:47PM 13 **MR. SOEHNLEIN:** Objection.

03:47PM 14 **THE WITNESS:** I don't know if he was giving them

03:47PM 15 cocaine.

03:47PM 16 **THE COURT:** Hold on. Stop, stop, stop.

03:47PM 17 Stop, stop, stop.

03:47PM 18 Objection, hearsay?

03:47PM 19 **MR. SOEHNLEIN:** Yeah.

03:47PM 20 **THE COURT:** Lay a foundation.

03:47PM 21 **BY MR. TRIPI:**

03:47PM 22 Q. Did you confront him about going with other women at

03:47PM 23 Pharaoh's?

03:47PM 24 A. Yes.

03:47PM 25 Q. When he would come home after being at Pharaoh's --

03:47PM 1 You've been around people intoxicated by cocaine; is that  
03:47PM 2 right?  
03:47PM 3 A. Yes.  
03:47PM 4 Q. You know the physical manifestations of it even before  
03:47PM 5 your schooling, correct?  
03:47PM 6 A. Yes.  
03:47PM 7 Q. When he would come home from Pharaoh's, did you make  
03:47PM 8 observations that led you to conclude he was under the  
03:47PM 9 influence of cocaine?  
03:47PM 10 A. I -- I didn't. Usually, no, I would be sleeping when he  
03:47PM 11 came home.  
03:47PM 12 Q. Okay. You testified in the grand jury, right?  
03:47PM 13 A. Yes.  
03:47PM 14 Q. Okay. We're gonna just -- give me a second here. I'll  
03:47PM 15 find it.  
03:47PM 16 A. Okay.  
03:48PM 17 **MR. TRIPI:** I'm wrapping up, Judge. Give me an  
03:48PM 18 indulgence here.  
03:48PM 19 **THE COURT:** Sure.  
03:48PM 20 **MR. TRIPI:** Thank you.  
03:48PM 21 **BY MR. TRIPI:**  
03:48PM 22 Q. While I'm doing that, all right, we talked about earlier  
03:48PM 23 there was a time you weren't allowed at Pharaoh's anymore  
03:49PM 24 right, very early on?  
03:49PM 25 A. Yes.

Q. In the grand jury, this is Government Exhibit 3562A, I'm on page 12, beginning at line 20. Were you asked this question and did you give this answer:

**MR. FOTI:** Hang on, Joe. What page did you say?

**MR. TRIPI:** 12, and beginning at line 20. It's going to spill on, I think, to the top of the next page.

**THE COURT:** Do you have an objection, Mr. Soehnlein or Mr. Foti?

**MR. SOEHNLEIN:** Yes, Judge. We're reading the -- the lines that Mr. Tripi -- can we approach, Judge?

**THE COURT:** Yeah, let me see it. Bring it up, and you guys can approach.

(Sidebar discussion held on the record.)

**MR. TRIPI:** It's at the bottom.

**THE COURT:** Yep.

**MR. TRIPI:** Just a couple.

**MR. FOTI:** I think it's a 602 objection. She says in the grand jury: Most likely, yes.

**THE COURT:** No, no, but then she says, and he would come home --

So I agreed with you up until there. That he would come home. And based on your experience, he had been using something? Yes.

**MR. TRIPI:** That's where I would end.

**MR. FOTI:** I don't think within the grand jury

1 there's any foundation for what she's basing that on. Her  
2 prior answer says most likely. I think she's speculating in  
3 the grand jury, and it would be used to impeach her here in  
4 terms of what she observed. I don't think it's a proper  
5 impeachment.

6 **MR. TRIPI:** She said no here, she said yes there.

7 **THE COURT:** Yeah. And I don't think that she --  
8 you've got to lay a foundation at the grand jury for that.

9 **MR. FOTI:** No, I agree.

10 **THE COURT:** So, but, and he's laid the foundation  
11 here that she knows what people look like when they're on  
12 cocaine.

13 **MR. FOTI:** Agreed.

14 **THE COURT:** So, and you would come home, and you  
15 would be able to tell, based on your experience, he had been  
16 using something? Yes.

17 **MR. SOEHNLEIN:** Right. And I'm sorry to jump in, but  
18 the foundation is use of cocaine. And there, it's using  
19 something. It could be cocaine, it could be drinking, it  
20 could be anything. Using something and using cocaine are  
21 different things.

22 **THE COURT:** I guess that's true.

23 Was it your belief that he was at Pharaoh's or  
24 somewhere else and using cocaine? Most likely, yes. And/or  
25 drinking. Um-hum. He would come home and you'd be able to --



03:51PM 1 **MR. TRIPI:** And that's why there's the follow up.

03:51PM 2 **THE COURT:** Something. Cocaine or alcohol. Not  
03:51PM 3 necessarily cocaine.

03:51PM 4 **MR. TRIPI:** But that's a lot different than no.

03:51PM 5 And when you're on an inconsistency like this, it  
03:51PM 6 doesn't have to be --

03:51PM 7 **MR. SOEHNLEIN:** It's not a yes.

03:51PM 8 **MR. TRIPI:** -- it doesn't have to be a 180 degree.  
03:52PM 9 She said no here pretty conclusively. There's a version of  
03:52PM 10 yes there.

03:52PM 11 **THE COURT:** Well, she said she was asleep.

03:52PM 12 **MR. TRIPI:** Yeah. That's right. That's the sum and  
03:52PM 13 substance of it, Judge.

03:52PM 14 **THE COURT:** I'm going to allow it.

03:52PM 15 **MR. TRIPI:** And I'm not going any further.

03:52PM 16 (End of sidebar discussion.)

03:52PM 17 **BY MR. TRIPI:**

03:52PM 18 Q. Okay. In the grand jury, September 17th, 2020, when you  
03:52PM 19 were under oath, this is at page 12, beginning at line 20,  
03:52PM 20 were you asked this question and did you give this answer:

03:52PM 21 "Question: Was it your belief that he was at Pharaoh's  
03:52PM 22 or somewhere else and using cocaine?

03:52PM 23 "Answer: Most likely, yes."

03:52PM 24 Were you asked that question, did you give that answer?

03:52PM 25 A. Most likely, either that or drinking, I --

03:52PM

1

**THE COURT:** Just, just --

03:52PM

2

**THE WITNESS:** I don't know.

03:52PM

3

**THE COURT:** The question is --

03:52PM

4

**MR. TRIPI:** Were you --

03:52PM

5

**THE WITNESS:** I'm sorry.

03:52PM

6

**THE COURT:** Ma'am -- ma'am, listen.

03:52PM

7

The question is: Were you asked that question and

03:52PM

8

did you give that answer --

03:52PM

9

**THE WITNESS:** Yes.

03:52PM

10

**THE COURT:** -- at the grand jury?

03:52PM

11

Next question.

03:52PM

12

**BY MR. TRIPI:**

03:52PM

13

Q. And the next question was: And/or drinking?

03:52PM

14

And you answered: Um-hum?

03:53PM

15

A. Yes.

03:53PM

16

Q. Were you asked that question and did you give that

03:53PM

17

answer?

03:53PM

18

A. Um-hum. Yes.

03:53PM

19

Q. And then were you asked this question, and did you give

03:53PM

20

this answer:

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21

"Question: And he would come home, and you would be able

03:53PM

22

to tell, based on your experience, he had been using

03:53PM

23

something?

03:53PM

24

"Answer: Yes."

03:53PM

25

Were you asked that question, and did you give that

1 answer?

2 A. Yes.

3 Q. And lastly, did the defendant tell you where he got the  
4 money to start Pharaoh's?

5 **MR. SOEHNLEIN:** Objection. Relevance.

6 **THE COURT:** Did he tell you? The question is: Did  
7 he tell you?

8 **THE WITNESS:** Did he tell me? He didn't tell me  
9 directly. No.

10 **THE COURT:** Okay. Anything else, Mr. Tripi?

11 **MR. TRIPI:** I have no further direct. Thank you.

12 **THE COURT:** Great. Cross.

13

14 **CROSS-EXAMINATION BY MR. SOEHNLEIN:**

15 Q. Good afternoon, Ms. R.A. How are you?

16 A. Good afternoon.

17 Q. So I want to start. There were some -- on direct, you  
18 had some testimony about conversations that you had had with  
19 Mr. Gerace about what was going on at the club; do you recall  
20 that testimony?

21 A. Yes.

22 Q. And -- and I think some of the testimony had to do with  
23 drug use of the dancers; do you recall that?

24 A. Yes.

25 Q. Okay. And you communicated with Mr. Gerace from the time

1 that you met him in 2005 until, I mean, really, until  
2 recently, correct?

3 A. Yes.

4 Q. You guys share a child in common, correct?

5 A. Yes.

6 Q. And you've had discussions with him about -- about the  
7 club, right?

8 A. Yes.

9 Q. And it's your belief that he wants to keep drugs out of  
10 the club, right?

11 **MR. TRIPI:** Objection, hearsay. It's based upon  
12 their discussions.

13 **THE COURT:** Sustained.

14 **BY MR. SOEHNLEIN:**

15 Q. You've had discussions with him about drug use at the  
16 club, correct?

17 A. Yes.

18 Q. And you've had discussions with him about measures that  
19 the club has taken to try to keep drugs out of the club,  
20 correct?

21 A. Yes.

22 Q. And what have been the sum and substance --

23 **MR. TRIPI:** Objection. Calls for hearsay.

24 **THE COURT:** Sum and substance of those conversations?

25 **MR. SOEHNLEIN:** Yeah.

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Q. Okay. Now at the point earlier in time when you were

03:56PM 1 using, you didn't recognize the signs of the beginning of  
03:56PM 2 addiction at that time, correct?

03:56PM 3 A. I didn't recognize the signs?

03:56PM 4 Q. Yeah.

03:56PM 5 A. Well, no.

03:56PM 6 Q. Yeah.

03:56PM 7 A. Not with -- like, with myself, no.

03:56PM 8 Q. Yeah. And -- and with regard to Mr. Gerace, would it be  
03:56PM 9 your testimony that, to your knowledge, your cocaine use and  
03:56PM 10 his cocaine use around that time was relatively similar?

03:56PM 11 A. I think my drug use was -- it was out of control.

03:56PM 12 Q. Okay. And do you think that he exhibited signs of  
03:56PM 13 addiction at the point in time where you guys were together  
03:57PM 14 from that 2005 to 2017 period?

03:57PM 15 A. No.

03:57PM 16 Q. Okay. Now, I think there was some testimony about your  
03:57PM 17 meetings with the government; do you recall that testimony?

03:57PM 18 A. Yes.

03:57PM 19 Q. Okay. And I think that you -- you testified that they  
03:57PM 20 met you, and they met you in a car at some point in time?

03:57PM 21 A. Yes.

03:57PM 22 Q. Where was that?

03:57PM 23 A. I recall they showed up to my work. They -- it was --  
03:57PM 24 they showed up to my old apartment.

03:57PM 25 Q. They showed up to multiple places?

03:57PM 1 A. Multiple places, yes.

03:57PM 2 Q. Okay. And eventually you met with them, correct?

03:57PM 3 A. Yes.

03:57PM 4 Q. And eventually in the grand jury, correct?

03:57PM 5 A. Yes.

03:57PM 6 Q. And then you had follow-up meetings with them over time,

03:57PM 7 correct?

03:57PM 8 A. Yes.

03:57PM 9 Q. And you testified in collateral -- in collateral

03:57PM 10 proceedings as well, correct?

03:57PM 11 A. Yes.

03:57PM 12 Q. And it was in those meetings they would ask you questions

03:58PM 13 about Mr. Gerace, correct?

03:58PM 14 A. Yes.

03:58PM 15 Q. They had asked you questions about Pharaoh's, correct?

03:58PM 16 A. Yes.

03:58PM 17 Q. And they would want to know what you knew about what

03:58PM 18 happened at the club, correct?

03:58PM 19 A. Yes.

03:58PM 20 Q. And what you knew about other individuals in Mr. Gerace's

03:58PM 21 life, correct?

03:58PM 22 A. Yes.

03:58PM 23 Q. And you shared all information with them that you believe

03:58PM 24 was relevant, correct?

03:58PM 25 A. Yes.

03:58PM 1 Q. And sometimes they followed up on that information,  
03:58PM 2 correct?

03:58PM 3 A. Yes.

03:58PM 4 **MR. TRIPI:** Objection as to what -- withdrawn.

03:58PM 5 Object. I misspoke. Objection as to what the government did.  
03:58PM 6 Rule 602, and move to strike.

03:58PM 7 **THE COURT:** Stop.

03:58PM 8 **MR. SOEHNLEIN:** I'll withdraw.

03:58PM 9 **THE COURT:** Okay. Fine. The question is withdrawn.

03:58PM 10 **MR. SOEHNLEIN:** I'll withdraw.

03:58PM 11 **BY MR. SOEHNLEIN:**

03:58PM 12 Q. Sometimes you'd give responses, and then they'd ask you  
03:58PM 13 for more information, correct?

03:58PM 14 A. Yes.

03:58PM 15 Q. And this is information that they're seeking from you,  
03:58PM 16 correct?

03:58PM 17 A. Yes.

03:58PM 18 Q. But sometimes, you'd share information and they wouldn't  
03:58PM 19 follow up on it; is that correct?

03:58PM 20 **MR. TRIPI:** Objection. We can come up if you want,  
03:58PM 21 Judge.

03:58PM 22 **THE COURT:** How would she know that, Mr. Soehnlein?  
03:58PM 23 Whether they followed up on information that she provided  
03:58PM 24 them?

03:59PM 25 The objection -- the objection is sustained without



1 more of a foundation.

2 **BY MR. SOEHNLEIN:**

3 Q. Okay. There came a time where you communicated with the  
4 government about Katrina Nigro, correct?

5 A. Yes.

6 Q. You -- in June of this year, you sent the government an  
7 email about Ms. Nigro, correct?

8 A. I did.

9 Q. And what was -- what was the sum and substance of the  
10 email?

11 **MR. TRIPI:** Objection, hearsay.

12 **THE COURT:** Sustained.

13 **BY MR. SOEHNLEIN:**

14 Q. You -- you sent them an email calling her a compulsive  
15 liar, correct?

16 **MR. TRIPI:** Objection.

17 **THE COURT:** Sustained. Sustained. Sustained.

18 Mr. Soehnlein, it's hearsay.

19 **MR. SOEHNLEIN:** It's what she wrote, Judge.

20 **MR. COOPER:** It's hearsay.

21 **MR. TRIPI:** Objection, hearsay.

22 **THE COURT:** It's still hearsay.

23 **BY MR. SOEHNLEIN:**

24 Q. How long have you known Ms. Nigro?

25 A. A long time.

03:59PM 1 Q. When -- do you recall a year that you first met her?

03:59PM 2 A. Early 2000s.

03:59PM 3 Q. It was before you met Mr. Gerace, correct?

03:59PM 4 A. Yes.

03:59PM 5 Q. And how did you meet her?

03:59PM 6 A. In the club -- clubs.

03:59PM 7 Q. You were talking about strip clubs?

03:59PM 8 A. Yeah.

03:59PM 9 Q. Gentlemen's clubs?

03:59PM 10 A. Yes.

03:59PM 11 Q. And she was a dancer?

03:59PM 12 A. Yes.

03:59PM 13 Q. You were a dancer?

03:59PM 14 A. Yes.

03:59PM 15 Q. And you were working in the -- the same locations at that

04:00PM 16 time?

04:00PM 17 A. Yes.

04:00PM 18 Q. Okay. And you continued to have some relationship with

04:00PM 19 her after she became involved with Mr. Gerace, correct?

04:00PM 20 A. Yes, somewhat. I had to.

04:00PM 21 Q. Yeah. Because you and Mr. Gerace share a child together,

04:00PM 22 right?

04:00PM 23 A. Yes.

04:00PM 24 Q. And so to a certain extent, you had to co-parent with

04:00PM 25 Ms. Nigro, correct?

1 A. Yes.

2 Q. And in the -- in that circle of individuals, that -- that  
3 group of people that are in that strip club industry, in your  
4 view, did Ms. Nigro have a reputation?

5 A. Yes.

6 Q. And what was that reputation?

7 A. She was a liar. And she was manipulative.

8 Q. And what's the basis for that?

9 **MR. TRIPI:** Objection.

10 **THE COURT:** I'm sorry?

11 **MR. TRIPI:** Objection, the basis would be hearsay.

12 **THE COURT:** No. No. Overruled.

13 **BY MR. SOEHNLEIN:**

14 Q. What's your basis for saying that Ms. Nigro is  
15 manipulative?

16 **THE COURT:** No, no, no.

17 **MR. TRIPI:** Objection, that's personal.

18 **THE COURT:** Sustained. That's not what she said.  
19 She said she had a reputation for it.

20 **MR. SOEHNLEIN:** Okay.

21 **THE COURT:** So what's the basis for her believing  
22 that that was her reputation; can be the question.

23 **BY MR. SOEHNLEIN:**

24 Q. Okay. What's the basis for your belief that that was her  
25 reputation?

1 A. She would lie to a lot of --

2 **THE COURT:** No, no, no, ma'am.

3 What's -- what's -- what's your basis for believing  
4 that was her reputation?

5 Not specific instances. What was the basis for your  
6 belief that it was her reputation?

7 You can answer that just generally.

8 **THE WITNESS:** Okay. Other dancers, and other  
9 customers would say things.

10 **THE COURT:** Okay. Great. Next question.

11 **MR. SOEHNLEIN:** Yeah.

12 **BY MR. SOEHNLEIN:**

13 Q. And you had that communication with the government in  
14 June of this past year, correct?

15 A. Yes.

16 **MR. TRIPI:** Objection, move to strike.

17 **THE COURT:** Yeah.

18 **MR. TRIPI:** Circle back.

19 **THE COURT:** Stricken. Yes.

20 Mr. Soehnlein, you can't ask her about things that  
21 she said to the government. That is hearsay.

22 Come up. Come up, guys.

23 **MR. SOEHNLEIN:** I'm sorry.

24 (Sidebar discussion held on the record.)

25 **MR. SOEHNLEIN:** Judge, I'm not following how things

1 that she said to the government is hearsay, it's what she  
2 said.

3 **MR. COOPER:** Out-of-court statements.

4 **THE COURT:** It's an out-of-court statement.

5 **MR. SOEHNLEIN:** That she said.

6 **MR. COOPER:** That's the definition of hearsay.

7 Out-of-court statements offered to prove the truth of the  
8 matter asserted. It's not something that she said in the  
9 courtroom, so it's hearsay.

10 **MR. SOEHNLEIN:** I'm -- I'm -- I'm not talking about  
11 the substance of the -- I'm talking about the fact that she  
12 communicated with the government, and they never asked her  
13 any -- any followup about it. That's what I'm asking.

14 She made the statement. It's not hearsay.

15 **MR. TRIPI:** It is, Eric.

16 **THE COURT:** Why -- why is it not hearsay? It's out  
17 of court.

18 **MR. FOTI:** I would argue it's not hearsay because the  
19 purpose of hearsay is to prevent an out-of-court statement and  
20 to avoid the inability to confront the statement that's being  
21 made because you don't have a declarant in the courtroom.

22 We have the declarant on the stand.

23 **THE COURT:** No, no, no, but whether the declarant is  
24 on the stand or not, it's still hearsay.

25 If I said -- if I told somebody the light was red. I

1 can now testify the light was red.

2 But I can't testify I told somebody the light was  
3 red. That's hearsay.

4 **MR. SOEHNLEIN:** And I'm sorry. And I'm sorry, and  
5 that's not -- that's not the reason it's being offered, Judge.

6 **THE COURT:** Okay.

7 **MR. SOEHNLEIN:** The reason it's being offered for,  
8 okay, is that there's -- is that there's points in time where  
9 she gives an information, and then there's follow-up inquiries  
10 to her because they're trying to cultivate their case.

11 She gives them information that doesn't help the  
12 government's case, and there's no follow-up. There's no  
13 investigation as far as she knows.

14 **THE COURT:** But why is that relevant?

15 **MR. TRIPI:** Yeah, you're not allowed to put the  
16 government on trial. That's -- you gave a specific  
17 instruction about that.

18 **MR. SOEHNLEIN:** But, Your Honor, I think it's  
19 absolutely relevant, because part of the direct had to do with  
20 her preparation with the government. And what -- including  
21 to -- including with this meeting in the car that, you know,  
22 is elicited for reasons that I don't understand, and the  
23 meeting before the grand jury, and things like that.

24 So if they're going to open the door to what  
25 investigative steps the government took with respect to Ms.

04:04PM 1 R.A., I think it's fair game.

04:04PM 2 **MR. TRIPI:** It was relevant because she's a hostile  
04:04PM 3 witness based on her demeanor, body language, and fear.

04:04PM 4 **THE COURT:** Okay.

04:04PM 5 **MR. TRIPI:** That's why that was relevant. And the  
04:04PM 6 rest of it doesn't change the hearsay of it. So --

04:04PM 7 **THE COURT:** Well, but why haven't you opened the  
04:04PM 8 door --

04:04PM 9 **MR. TRIPI:** To what?

04:04PM 10 **THE COURT:** I'm sorry?

04:04PM 11 **MR. TRIPI:** To what? I --

04:04PM 12 **THE COURT:** Why haven't you opened the door to what  
04:04PM 13 followup the government did or didn't do?

04:04PM 14 **MR. TRIPI:** Okay. So, she sent -- he wants to get in  
04:04PM 15 an email from June after we've tried Bongiovanni once.

04:04PM 16 Like, we have an indictment, like, what -- if that  
04:04PM 17 comes in, then there is no hearsay line, Judge. It's not like  
04:04PM 18 we were investigating the case at that point.

04:04PM 19 **THE COURT:** So, Mr. Soehnlein, she tells -- sends the  
04:04PM 20 government something that says that R.A. is a liar; is that  
04:04PM 21 the --

04:04PM 22 **MR. TRIPI:** Katrina Nigro.

04:04PM 23 **THE COURT:** -- or Katrina Nigro is a liar; is that --

04:04PM 24 **MR. TRIPI:** Sum and substance.

04:04PM 25 **MR. SOEHNLEIN:** Compulsive liar. It's like a -- and

04:05PM 1 I'm not seeking to admit the email. I'm not gonna seek to do  
04:05PM 2 that.

04:05PM 3 **THE COURT:** But the fact that she told the  
04:05PM 4 government -- why -- she's already testified that the woman's  
04:05PM 5 reputation is that she's a liar.

04:05PM 6 I think she can testify to her opinion as well,  
04:05PM 7 right?

04:05PM 8 **MR. TRIPI:** She can testify as to opinion. But now  
04:05PM 9 this area now, let's be clear, I'm letting it go because now I  
04:05PM 10 get to cross her. And they've adopted her as their witness  
04:05PM 11 for these purposes. I've let it go on purpose because now I  
04:05PM 12 get to cross her.

04:05PM 13 **THE COURT:** Okay. So, in any event, why is the fact  
04:05PM 14 that she told the government that she's a liar, why is that  
04:05PM 15 relevant?

04:05PM 16 **MR. SOEHNLEIN:** Because it shows -- well, first of  
04:05PM 17 all, I still think that they opened the door to --

04:05PM 18 **THE COURT:** Shows what? It shows that the government  
04:05PM 19 chose not to follow up on something that the government chose  
04:05PM 20 not to follow up on. How is that relevant to Mr. Gerace's  
04:05PM 21 case?

04:05PM 22 **MR. FOTI:** Can I just -- if the government's going to  
04:06PM 23 cross on this, I think then it's going to be relevant at that  
04:06PM 24 time. So, if they're indicating they're gonna do it, we can  
04:06PM 25 get into it now, or if you want to wait, we can wait. But --



04:06PM 1 **MR. TRIPI:** Well, hearsay doesn't come in just  
04:06PM 2 because I get to cross.

04:06PM 3 **MR. FOTI:** If he's crossing on Nigro, in terms of her  
04:06PM 4 understanding of Nigro's credibility and things along those  
04:06PM 5 lines, of course any communication and specific bad acts are  
04:06PM 6 going to become --

04:06PM 7 **MR. TRIPI:** That's not accurate at all.

04:06PM 8 **MR. FOTI:** They already opened the door.

04:06PM 9 **THE COURT:** We're going to break for the day.

04:06PM 10 **MR. TRIPI:** That's fine. My last bit on this, Judge,  
04:06PM 11 is you dealt with this exact situation in the last trial.  
04:06PM 12 This opens the door to her impeachment, not Ms. Nigro's. They  
04:06PM 13 had Ms. Nigro on the stand, they could cross Ms. Nigro until  
04:06PM 14 the cows come home.

04:06PM 15 **MR. COOPER:** And you ruled on this in Bongiovanni 2  
04:06PM 16 when it came up, and you ruled on it and you said, A, we got  
04:06PM 17 to cross-examine and, B, that specific acts don't come in.

04:06PM 18 We briefed it, and you ruled on it. It's the same  
04:06PM 19 exact same occurrence here.

04:06PM 20 **MR. TRIPI:** Fair enough.

04:06PM 21 (Sidebar discussion held on the record.)

04:07PM 22 **THE COURT:** Okay. I don't know if this is good news  
04:07PM 23 or bad news, but we're done for the week. We have a legal  
04:07PM 24 issue that has come up now that we're going to have to resolve  
04:07PM 25 before this can continue.

04:07PM 1 So, and the legal issue is not going to take a long,  
04:07PM 2 long time, but it's just -- I'm not going to waste your time  
04:07PM 3 keeping you here while we're arguing this here when it may  
04:07PM 4 take an hour to argue it, and then I've got to send you home  
04:07PM 5 and you haven't done anything. So I might as well send you  
04:07PM 6 home now.

04:07PM 7 So remember over the weekend, you're going to be with  
04:07PM 8 family, don't talk about this case, don't communicate about it  
04:07PM 9 with anyone, electronically or otherwise. Don't use any  
04:07PM 10 electronic means to learn anything about it case. Don't try  
04:07PM 11 to learn anything about the case in any way whatsoever.

04:07PM 12 If there's any news coverage of the case, on TV, on  
04:07PM 13 the radio, in the newspaper, anywhere else, don't read or  
04:07PM 14 watch or listen to it. And don't make up your mind about  
04:07PM 15 anything until you start deliberating.

04:07PM 16 We'll see you Monday at 9:30. Next week is 9:30  
04:07PM 17 until 5 every day except Friday, when we have a relatively  
04:08PM 18 early quit because of me. Okay?

04:08PM 19 Thank you very much. Have a great weekend. Go,  
04:08PM 20 Bills --

04:08PM 21 **THE WITNESS:** Go Bills.

04:08PM 22 **THE JURORS:** Go Bills.

04:08PM 23 **THE COURT:** -- and we'll see you early Monday  
04:08PM 24 morning.

04:08PM 25 **THE WITNESS:** Go Bills.

(Jury excused at 4:08 p.m.)

**THE COURT:** Okay. Ms. R.A. please don't talk to anybody about your testimony over the weekend. We'll see you on Monday morning at 9:30. You can step down now.

(Witness excused at 4:08 p.m.)

(Excerpt concluded at 4:08 p.m.)

\* \* \* \* \*

**CERTIFICATE OF REPORTER**

In accordance with 28, U.S.C., 753(b), I certify that these original notes are a true and correct record of proceedings in the United States District Court for the Western District of New York on December 6, 2024.

s/ Ann M. Sawyer  
Ann M. Sawyer, FCRR, RPR, CRR  
Official Court Reporter  
U.S.D.C., W.D.N.Y.

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**TRANSCRIPT INDEX**

**EXCERPT - EXAMINATION OF R.A. (PW 6)**

**DECEMBER 6, 2024**

**W I T N E S S**

**P A G E**

**R. A. (PW 6)**

2

DIRECT EXAMINATION BY MR. TRIPI:

2

CROSS-EXAMINATION BY MR. SOEHNLEIN:

43